

EXHIBIT 2

DECLARATION OF THOMAS BIRD

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

REPUBLICAN NATIONAL COMMITTEE,
NEVADA REPUBLICAN PARTY, DONALD
J. TRUMP FOR PRESIDENT 2024, INC.; and
DONALD J. SZYMANSKI,

Plaintiffs,

v.

CARI-ANN BURGESS, *in her official
capacity as the Washoe County Registrar of
Voters*; JAN GALASSINI, *in her official
capacity as the Washoe County Clerk*;
LORENA PORTILLO, *in her official capacity
as the Clark County Registrar of Voters*;
LYNN MARIE GOYA, *in her official capacity
as the Clark County Clerk*; FRANCISCO
AGUILAR, *in his official capacity as Nevada
Secretary of State*,

Defendants.

Case No. 3:24-cv-00198-MMD-CLB

DECLARATION OF THOMAS BIRD

I, Thomas Bird, under penalty of perjury, hereby declare as follows:

1. I am over eighteen years of age. I have personal knowledge of the facts set forth herein. If called upon to testify before this Court, I would do so to the same effect.

2. I am a resident of Lyon County, Nevada.

3. I am currently the President of the Nevada Alliance for Retired Americans (“The Alliance”), a non-partisan 501(c)(4) membership organization with approximately 20,000 members across the state of Nevada and over 4.4 million members across the country. Our members are geographically diverse, spanning from Elko to Las Vegas and from Reno to Ely. They are also diverse in terms of age and profession. We serve both older retirees who are farther into their retirement and new retirees, who have only recently stopped working. Similarly, our retirees come from many different AFL-CIO affiliated unions, and worked in many different industries before their retirement.

1 4. The Alliance’s mission is to ensure the social and economic justice and full civil
2 rights that retirees have earned after a lifetime of work, with a particular emphasis on protecting
3 the right to vote. To further that mission, each election cycle, we travel across the state to bring a
4 voter education campaign directly to our members. As part of our voter education work, we put
5 together voter education materials, help our members confirm their voter registration status and
6 track the status of their submitted mail ballots, and answer any other questions they may have
7 about how to get their ballots cast and counted.

8 5. We also work with 20 affiliated chapters—comprised of other union and
9 community groups—across Nevada. A major focus of our work is attending chapter meetings to
10 speak with members about key policy goals, such as preserving Social Security and Medicare.

11 6. Ensuring members’ ability to successfully vote by mail is a critical piece of the
12 Alliance’s mission. Many of the Alliance’s members are older and disabled voters who rely
13 deeply on mail ballots to exercise their right to vote. Based on my experience and
14 communications with members, I believe a significant majority of them vote by mail. Since
15 Nevada adopted universal mail balloting, many Alliance members have increasingly come to
16 prefer it over voting in person. Voting by mail is important to many of the Alliance’s members
17 for numerous reasons: many lack transportation to make it to the polls, are not comfortable
18 standing in long lines at polling places, have a disability or injury that makes in-person voting
19 difficult, prefer for health reasons not to wait a long time in-person to vote, lack spousal support
20 due to a spouse predeceasing them, want to avoid potential voter intimidation or harassment at
21 the polls, or simply prefer to spend more time with their ballot while completing it from the
22 comfort of their kitchen table. If Plaintiffs are successful in excluding mail ballots that are
23 received after election day, the Alliance’s members will be at increased risk of having their mail
24 ballots not counted.

25 7. Many of the Alliance’s members are deeply concerned about increasing mail
26 delays, which can impact everything from their timely receipt of prescription medication by mail
27 to their ability to successfully vote a mail ballot. This fear has been significantly heightened
28 recently due to plans from the U.S. Postal Service to route mail in Northern Nevada through

1 facilities Sacramento rather than Reno.¹ Many Alliance members fear the impact this change
2 could have on their mail service.

3 8. If Plaintiffs are successful in preventing any mail ballots that are received after
4 election day from being counted, even if timely submitted, then the Alliance plans to divert its
5 limited resources to help its members sign up for various mail tracking systems, ranging from the
6 U.S. Postal Service's informed delivery service to the state of Nevada's ballot tracking service
7 (Ballottrax), so they can keep track of the timing of their mail ballot. Many of the Alliance's
8 members are not comfortable with technology and have concerns with fraud, and will require
9 individualized assistance in signing up for and using these services.

10 9. Many of the Alliance's members and volunteers are active and undertake
11 numerous activities to help register and educate voters about how to vote, including door
12 knocking, phone banking, Zoom meetings, postcard parties, and appearing at community events
13 like health fairs and labor union conventions. The Alliance often partners with other non-partisan
14 organizations to host these voter education events across Nevada. The Alliance also hosts
15 retirement forums and conventions, during which it provides speakers and presentations about
16 registering to vote and voting, including on the mechanics of voting by mail. If Plaintiffs are
17 successful in this action, the Alliance will have to fundamentally reshape their voter education
18 activities to emphasize the risk of mail ballots not being counted, at the expense of other
19 mission-critical issues.

20 10. Many of the Alliance's members also speak with family, friends, neighbors, and
21 others about voting. The Alliance frequently answers questions related to voting, and strives to
22 be a central information source for voters so that if the Alliance isn't aware of the answer to a
23 particular question, the Alliance will help track it down and report back. The Alliance's members

24 ¹ See, e.g., Jessica Hill, *USPS moves ahead on plan to move Nevada mail to CA, despite*
25 *opposition*, Las Vegas Review-Journal (Apr. 23, 2024), [https://www.reviewjournal.com/news/](https://www.reviewjournal.com/news/politics-and-government/usps-moves-ahead-on-plan-to-move-nevada-mail-to-ca-despite-oppositi-on-3039162/)
26 [politics-and-government/usps-moves-ahead-on-plan-to-move-nevada-mail-to-ca-despite-oppositi](https://www.reviewjournal.com/news/politics-and-government/usps-moves-ahead-on-plan-to-move-nevada-mail-to-ca-despite-oppositi-on-3039162/)
27 [on-3039162/](https://www.reviewjournal.com/news/politics-and-government/usps-moves-ahead-on-plan-to-move-nevada-mail-to-ca-despite-oppositi-on-3039162/); Eric Neugeboren, *Despite Nevada opposition, USPS to move key mail operations*
28 *from Reno to Sacramento*, The Nevada Independent (Apr. 26, 2024), [https://thenevadaindependent.com/article/despite-nevada-opposition-usps-to-move-key-mail-](https://thenevadaindependent.com/article/despite-nevada-opposition-usps-to-move-key-mail-operations-from-reno-to-sacramento)
[operations-from-reno-to-sacramento](https://thenevadaindependent.com/article/despite-nevada-opposition-usps-to-move-key-mail-operations-from-reno-to-sacramento).

1 are a very engaged group and are likely to have a lot of questions that require time and resources
2 to address. The Alliance also helps educate its members by sharing articles and posting
3 information and resources on social media posts.

4 11. We are also a small team—the day-to-day activities of the Alliance are conducted
5 entirely by me and my wife and a small board of seniors—so time and resources are already
6 quite limited. Given our limited resources and the particular needs of our membership,
7 responding to an exclusion of all mail ballots received after election day would almost certainly
8 come at the expense of other mission-critical priorities, such as advocating to lower the cost of
9 prescription drugs, preserving social security and Medicare, and other voter education work,
10 such as voter registration efforts. Our ability to establish relationships with new members and to
11 focus on critical state legislative work which allows us to keep our members informed about
12 their elected officials' voting records would also be severely compromised, significantly
13 frustrating our mission.

14
15 I declare under penalty of perjury that the foregoing is true and correct.

16
17 Executed on 5/10/2024

18
19 By: Thomas Bird

20 Thomas Bird
21 President
22 Nevada Alliance for Retired Americans
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